

United States District Court  
Southern District of Texas  
SEP 27 2019

## UNITED STATES DISTRICT COURT

for the  
Southern District of Texas

David J. Bradley, Clerk

United States of America

v.

Andrew ESTRADA  
YOB: 1995, COC: US

Case No.

M-19-2310-M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 23-26, 2019 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

## Offense Description

18 United States Code § 554

18 United States Code § 2

Did knowingly and willfully conspired, aided, and abetted in an attempt to export or send from the United States, any merchandise, article, or object, to wit: approximately 1,600 rounds of of .40/.38 Super/ 9mm caliber ammunition and three (3) 75-round 7.62X39mm high-capacity magazines, contrary to any law or regulation of the United States, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise, article or object, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States.

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

approved by AUSA Francis E. Blake  
on 9/26/2019.

Sworn to before me and signed in my presence.

Date:

9/27/19City and state: McAllen, Texas

Complainant's signature

Gerardo Mercado, HSI Special Agent

Printed name and title

Judge's signature

J. Scott Hacker, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

- I. On September 23, 2019, Homeland Security Investigations (HSI) Special Agent (SAs) and U.S. Customs and Border Protection Officers (CBPOs) detained and arrested Anastacio SAN MIGUEL-Padron (M-19-2292-M) at the Hidalgo Port of Entry in Hidalgo, Texas (Hidalgo, Texas POE) after he attempted to smuggle approximately 1,100 rounds of .40 caliber/.38 Super/ 9mm caliber ammunition and one (1) 75-round 7.62X39mm high-capacity firearm magazine from the United States into Mexico. SAN MIGUEL admitted to HSI/CBP Agents that he had recruited Andrew ESTRADA to procure the ammunition and high-capacity firearm magazine founded concealed within his vehicle. SAN MIGUEL advised that he instructed and provided ESTRADA money to procure additional ammunition in the coming days and store the ammunition at a storage unit in Pharr, Texas (Target Storage Unit). SAN MIGUEL stated he intended to smuggle the additional ammunition procured by ESTRADA on a later date before being arrested at the Hidalgo, Texas POE.
- II. On September 26, 2019, ESTRADA presented himself to CBPOs for entry inspection from Mexico into the United States at the Hidalgo, Texas POE. ESTRADA was referred to secondary inspection and detained to be interviewed by HSI/CBP Agents regarding the procurement of ammunition and firearm magazines and his involvement with SAN MIGUEL.
- III. At the Hidalgo, Texas POE, HSI/CBP Agents advised ESTRADA of his Miranda rights and he agreed to provide a statement without an attorney present. ESTRADA admitted that he had procured the ammunition and firearm magazine seized from SAN MIGUEL on September 26, 2019 for financial gain. ESTRADA admitted SAN MIGUEL likely intended to smuggle the ammunition and firearm magazine from the United States into

ATTACHMENT A

Mexico because SAN MIGUEL was a Mexican national and resided in Mexico.

ESTRADA admitted he was aware that smuggling ammunition and firearms from the United States into Mexico was prohibited by law.

- IV. ESTRADA admitted to procuring additional ammunition and firearm magazines on behalf of SAN MIGUEL on September 24, 2019. ESTRADA claimed that he later transported and stored the additional ammunition and firearm magazines at the Target Storage Unit.
- V. On September 26, 2019, ESTRADA granted HSI Agents written consent to search the Target Storage Unit. Subsequently, HSI Agents searched the Target Storage Unit and seized approximately 500 rounds of .38 Super ammunition and two (2) 75-round 7.62X39mm high-capacity firearm magazines from within the Target Storage Unit.
- VI. According to the U.S. Department of State, Office of Defense Trade Controls Compliance (DTCC), the ammunition and firearm magazine discovered within the Target Storage Unit are determined to being defense articles described on the United States Munitions List (USML) and regulated for export pursuant to the Arms Export Control Act (Title 22 United States Code 2778).